

about things that need to be done that could be done quickly, we could do them.

Mr. SKELTON. Mr. Speaker, during the August District Work Period, I traveled extensively throughout Missouri's Fourth Congressional district, meeting with residents who were eager to share their views on a variety of Federal matters. In separate visits with Missouri credit union officials and small town Missouri bankers, the state of the economy and Congress' efforts to make financial services more responsive to every day citizens were top priorities for discussion.

Earlier this year, Congress passed and the President signed into law the Credit Card Accountability, Responsibility, and Disclosure Act, bipartisan legislation to make credit card agreements more customer friendly. I supported this measure and am pleased it has become the law of the land.

But, when I met with credit union officials in August, they brought to my attention a technical error in the law that is making it difficult for them to provide lines of credit to some of their members.

When I returned to Washington in September, I immediately brought the credit unions' concerns to the attention of Financial Services Committee Chairman BARNEY FRANK. And, at the same time, my colleague from Vermont, Congressman PETER WELCH, drafted responsible legislation—which we are considering here in the House today—to correct this technical error so that credit unions can continue offering open-end credit plans that are popular with many of their members.

Chairman FRANK, Mr. WELCH, and their staffs have worked diligently to fix this problem for America's credit unions. I am pleased that they have moved this bill so quickly through the legislative process. I urge my colleagues to support Mr. WELCH's legislation and hope the other body will act to pass it soon.

MISSOURI CREDIT UNION ASSOCIATION,  
St. Louis, MO, August 27, 2009.

Hon. IKE SKELTON,  
Rayburn Building,  
Washington, DC.

DEAR REPRESENTATIVE SKELTON: Thank you for taking time out of your busy schedule to meet with Missouri credit unions this month in the district. As discussed, Missouri credit unions are extremely concerned about unintended consequences created by the Credit Card Accountability, Responsibility and Disclosure (CARD) Act of 2009, and the serious implications for consumers in our state. We are asking for your help and support in a legislative solution.

Credit unions did not participate in the consumer abuses regarding credit cards that prompted passage of the CARD Act of 2009, and do not have an issue with complying with the provisions of the CARD Act that relate specifically to credit card accounts.

However, sections of the Act applying to open-end credit plans do affect credit unions and will disadvantage credit union members. Credit unions, working with their members, often set up open-end credit plans because of the flexibility it provides to members in managing their credit and adding future loans.

It is common for members who live paycheck to paycheck, or have trouble managing their money, to request a payment plan that has funds deducted from their checking account or payroll direct deposit that is credited to their loan. They may choose to have funds credited weekly, every two weeks, or twice a month. The CARD Act

requirement that the account holder receive a 21-day notice prior to payment due dates (§106(b)) becomes problematic for the credit union when the member has requested anything other than monthly payments.

When payment schedules occur more than monthly, we are not finding a reasonable solution that meets the 21-day notice requirement of the law. Credit unions report to our association that there are significant issues with data processors in complying with the new law. One of Missouri's smaller credit unions with \$19 million in assets has approximately 1,800 open-end loans that are not credit card accounts. Making the necessary changes to comply with the Act will mean additional ongoing expense. There would be additional costs for multiple mailings including postage and staff time. If the credit union incurs additional costs to comply with the CARD Act, those increases will be passed on to our member consumers. We are also concerned that it will cause our members considerable confusion if they begin to receive multiple notices every month. Many credit unions will be impacted to the extent that they will have to offer only closed-end loans, which eliminates the convenience and flexibility that members need and prefer.

If credit unions adjust all open-end credit plans to only allow one payment per month, we have taken options away from consumers that help them better manage their money. We believe that the intent of the CARD Act is to protect consumers and avoid confusing disclosures and abusive practices relative to credit card open-end programs. We do not believe that the intent was to disadvantage members and increase their costs to access open-end programs.

Section 106(b) is the only place in the Act where the wording "open end credit" is used to broadly apply beyond credit card programs. During our meeting, we provided you with suggested language that would correct this inconsistency. It is provided below. The words in italics are currently in the bill. The bold wording in brackets is the suggested replacement.

#### SEC. 106. RULES REGARDING PERIODIC STATEMENTS.

(a) In General.—Section 127 of the Truth in Lending Act (15 U.S.C. 1637) is amended by adding at the end the following:

(1) Due Dates for Credit Card Accounts—

(A) In general.—The payment due date for a credit card account under an open end consumer credit plan shall be the same day each month.

(B) Weekend or holiday due dates.—If the payment due date for a credit card account under an open end consumer credit plan is a day on which the creditor does not receive or accept payments by mail (including weekends and holidays), the creditor may not treat a payment received on the next business day as late for any purpose.

(C) Length of Billing Period.—

(1) In general.—Section 163 of the Truth in Lending Act (15 U.S.C. 1666b) is amended to read as follows:

#### SEC. 163. TIMING OF PAYMENTS.

(a) Time to Make Payments.—A creditor may not treat a *payment on an open end consumer credit plan* [replace italicized wording with: "payment on a credit card account under an open-end consumer credit plan"] as late for any purpose, unless the creditor has adopted reasonable procedures designed to ensure that each periodic statement including the information required by section 127(b) is mailed or delivered to the consumer not later than 21 days before the payment due date.

(b) Grace Period.—If an open end consumer credit plan provides a time period within which an obligor may repay any portion of

the credit extended without incurring an additional finance charge, such additional finance charge may not be imposed with respect to such portion of the credit extended for the billing cycle of which such period is a part, unless a statement which includes the amount upon which the finance charge for the period is based was mailed or delivered to the consumer not later than 21 days before the date specified in the statement by which payment must be made in order to avoid imposition of that finance charge.

(2) Effective date.—Notwithstanding section 3, section 163 of the Truth in Lending Act, as amended by this subsection, shall become effective 90 days after the date of enactment of this Act.

The 21-day notice period became law on August 20. On behalf of Missouri's 148 credit unions and their 1.3 million members, we are asking for your help in supporting a legislative solution. If we can assist with additional information on this issue, please contact me. Other contacts at the Missouri Credit Union Association regarding this issue are Peggy Nalls or Amy McLard.

Sincerely,

ROSHARA J. HOLUB,  
President/CEO.

Mr. Frank of Massachusetts. With that, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. FRANK) that the House suspend the rules and pass the bill, H.R. 3606.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 today.

Accordingly (at 4 o'clock and 1 minute p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. DAHLKEMPER) at 6 o'clock and 30 minutes p.m.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 3689, by the yeas and nays;

H.R. 3476, by the yeas and nays;

H. Res. 659, by the yeas and nays.

Votes on H. Res. 768 and H.R. 1327 will be taken later in the week.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

# EXTENDING AUTHORITY TO BUILD VIETNAM VETERANS MEMORIAL VISITOR CENTER

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 3689, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from the Northern Mariana Islands (Mr. SABLAN) that the House suspend the rules and pass the bill, H.R. 3689.

The vote was taken by electronic device, and there were—yeas 390, nays 0, not voting 42, as follows:

[Roll No. 772]

YEAS—390

Ackerman	Cole	Harper
Aderholt	Conaway	Hastings (FL)
Adler (NJ)	Connolly (VA)	Hastings (WA)
Akin	Cooper	Heinrich
Alexander	Costa	Heller
Altmire	Courtney	Hensarling
Andrews	Crenshaw	Herger
Arcuri	Crowley	Herseth Sandlin
Baca	Culberson	Higgins
Bachmann	Cummings	Hill
Bachus	Dahlkemper	Himes
Baird	Davis (CA)	Hinche
Baldwin	Davis (IL)	Hinojosa
Barrow	Davis (KY)	Hirono
Bartlett	Davis (TN)	Hodes
Barton (TX)	Deal (GA)	Holden
Becerra	DeFazio	Holt
Berkley	DeGette	Honda
Berman	Delahunt	Hoyer
Berry	DeLauro	Hunter
Biggert	Dent	Inglis
Bilbray	Diaz-Balart, M.	Inslee
Bilirakis	Dicks	Israel
Bishop (GA)	Dingell	Issa
Bishop (NY)	Doggett	Jackson (IL)
Bishop (UT)	Donnelly (IN)	Jackson-Lee
Blackburn	Doyle	(TX)
Blumenauer	Dreier	Jenkins
Bocieri	Driedhaus	Johnson (GA)
Boehner	Duncan	Johnson (IL)
Bono Mack	Edwards (MD)	Johnson, E. B.
Boozman	Edwards (TX)	Johnson, Sam
Boren	Ehlers	Jones
Boswell	Ellison	Jordan (OH)
Boucher	Ellsworth	Kagen
Boustany	Emerson	Kanjorski
Boyd	Eshoo	Kaptur
Brady (PA)	Etheridge	Kennedy
Brady (TX)	Fallin	Kildee
Braley (IA)	Farr	Kilpatrick (MI)
Bright	Fattah	Kilroy
Broun (GA)	Filner	Kind
Brown (SC)	Flake	King (IA)
Brown, Corrine	Fleming	King (NY)
Buchanan	Forbes	Kingston
Burgess	Fortenberry	Kirk
Burton (IN)	Foster	Kirkpatrick (AZ)
Butterfield	Fox	Kissell
Buyer	Frank (MA)	Klein (FL)
Calvert	Franks (AZ)	Kline (MN)
Campbell	Frelinghuysen	Kosmas
Cantor	Fudge	Kratovil
Cao	Gallely	Kucinich
Capito	Garrett (NJ)	Lamborn
Capps	Gerlach	Lance
Cardoza	Giffords	Langevin
Carnahan	Gingrey (GA)	Larsen (WA)
Carson (IN)	Gohmert	Larson (CT)
Carter	Gonzalez	Latham
Cassidy	Goodlatte	LaTourette
Castle	Gordon (TN)	Latta
Castor (FL)	Graves	Lee (CA)
Chaffetz	Grayson	Lee (NY)
Chandler	Green, Al	Levin
Childers	Green, Gene	Lewis (CA)
Chu	Grijalva	Lewis (GA)
Clay	Guthrie	Linder
Cleaver	Gutierrez	Lipinski
Clyburn	Hall (NY)	LoBiondo
Coble	Hall (TX)	Loebsack
Coffman (CO)	Halvorson	Lofgren, Zoe
Cohen	Hare	Lowey

Lucas	Oliver	Shuler
Luetkemeyer	Ortiz	Shuster
Lujan	Pallone	Simpson
Lummis	Pascarell	Skelton
Lungren, Daniel E.	Pastor (AZ)	Slaughter
Lynch	Paul	Smith (NE)
Mack	Paulsen	Smith (NJ)
Maffei	Payne	Smith (TX)
Manzullo	Pence	Smith (WA)
Marchant	Perlmutter	Snyder
Markey (CO)	Perriello	Souder
Markey (MA)	Peters	Space
Marshall	Peterson	Speier
Massa	Petri	Spratt
Matsui	Pingree (ME)	Stark
McCarthy (CA)	Pitts	Stearns
McCarthy (NY)	Poe (TX)	Stupak
McCaul	Polis (CO)	Sullivan
McClintock	Posey	Sutton
McCollum	Price (GA)	Tanner
McCotter	Price (NC)	Teague
McDermott	Quigley	Terry
McGovern	Rahall	Thompson (CA)
McHenry	Rangel	Thompson (MS)
McIntyre	Rehberg	Thompson (PA)
McKeon	Reichert	Tiahrt
McMahon	Reyes	Tiberi
McMorris	Richardson	Tierney
Rodgers	Rodriguez	Titus
McNeerney	Roe (TN)	Tonko
Meek (FL)	Rogers (AL)	Towns
Meeks (NY)	Rogers (KY)	Tsongas
Melancon	Rooney	Turner
Mica	Ros-Lehtinen	Upton
Michaud	Ross	Van Hollen
Miller (MI)	Rothman (NJ)	Velázquez
Miller (NC)	Roybal-Allard	Visclosky
Miller, Gary	Royce	Walden
Miller, George	Ruppersberger	Walz
Minnick	Ryan (OH)	Wasserman
Mitchell	Ryan (WI)	Schultz
Mollohan	Salazar	Waters
Moore (KS)	Sarbanes	Watson
Moore (WI)	Scalise	Watt
Moran (VA)	Schakowsky	Waxman
Murphy (CT)	Schauer	Weiner
Murphy (NY)	Schiff	Welch
Murphy, Patrick	Schmidt	Westmoreland
Murphy, Tim	Schock	Whitfield
Murtha	Schrader	Wilson (OH)
Myrick	Schwartz	Wilson (SC)
Nadler (NY)	Scott (GA)	Wittman
Napolitano	Scott (VA)	Wolf
Neugebauer	Sensenbrenner	Woolsey
Nunes	Serrano	Wu
Nye	Sessions	Yarmuth
Oberstar	Sestak	Young (AK)
Obey	Shadegg	Young (FL)
Olson	Shea-Porter	
	Sherman	

## NOT VOTING—42

Abercrombie	Davis (AL)	Radanovich
Austria	Diaz-Balart, L.	Rogers (MI)
Barrett (SC)	Engel	Rohrabacher
Bean	Granger	Roskam
Blunt	Griffith	Rush
Bonner	Harman	Sánchez, Linda T.
Brown-Waite,	Hoekstra	Sanchez, Loretta
Ginny	Maloney	Shimkus
Camp	Matheson	Sires
Capuano	Miller (FL)	Taylor
Carney	Moran (KS)	Thornberry
Clarke	Neal (MA)	Wamp
Conyers	Platts	Wexler
Costello	Pomeroy	
Cuellar	Putnam	

□ 1855

Mr. SALAZAR changed his vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

# REAUTHORIZING DELAWARE WATER GAP NATIONAL RECREATION AREA CITIZEN ADVISORY COMMISSION

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 3476, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from the Northern Mariana Islands (Mr. SABLAN) that the House suspend the rules and pass the bill, H.R. 3476.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 384, nays 1, not voting 47, as follows:

[Roll No. 773]

YEAS—384

Ackerman	Cohen	Hare
Aderholt	Cole	Harper
Adler (NJ)	Conaway	Hastings (FL)
Akin	Connolly (VA)	Hastings (WA)
Alexander	Cooper	Heinrich
Altmire	Costa	Heller
Andrews	Courtney	Hensarling
Arcuri	Crenshaw	Herger
Baca	Crowley	Herseth Sandlin
Bachmann	Culberson	Higgins
Bachus	Cummings	Hill
Baird	Dahlkemper	Himes
Baldwin	Davis (CA)	Hinche
Barrow	Davis (IL)	Hinojosa
Bartlett	Davis (KY)	Hirono
Barton (TX)	Davis (TN)	Hodes
Berkley	Deal (GA)	Holden
Berman	DeFazio	Holt
Berry	DeGette	Honda
Biggert	Delahunt	Hoyer
Bilbray	DeLauro	Hunter
Bilirakis	Dent	Inglis
Bishop (GA)	Diaz-Balart, M.	Inslee
Bishop (NY)	Dicks	Israel
Bishop (UT)	Dingell	Issa
Blackburn	Doggett	Jackson (IL)
Blumenauer	Donnelly (IN)	Jackson-Lee
Bocieri	Doyle	(TX)
Boehner	Dreier	Jenkins
Bono Mack	Driedhaus	Johnson (GA)
Boozman	Duncan	Johnson (IL)
Boren	Edwards (MD)	Johnson, E. B.
Boswell	Edwards (TX)	Johnson, Sam
Boucher	Ehlers	Jones
Boustany	Ellison	Jordan (OH)
Boyd	Ellsworth	Kagen
Brady (PA)	Emerson	Kanjorski
Brady (TX)	Eshoo	Kaptur
Braley (IA)	Etheridge	Kennedy
Bright	Fallin	Kildee
Broun (GA)	Farr	Kilpatrick (MI)
Brown (SC)	Fattah	Kilroy
Brown, Corrine	Filner	Kind
Buchanan	Flake	King (IA)
Burgess	Fleming	King (NY)
Burton (IN)	Forbes	Kingston
Buyer	Fortenberry	Kirk
Calvert	Foster	Kirkpatrick (AZ)
Campbell	Fox	Kissell
Cantor	Frank (MA)	Klein (FL)
Cao	Franks (AZ)	Kline (MN)
Capito	Frelinghuysen	Kosmas
Capps	Fudge	Kratovil
Cardoza	Gallely	Kucinich
Carnahan	Garrett (NJ)	Lamborn
Carson (IN)	Gerlach	Lance
Carter	Giffords	Langevin
Cassidy	Gohmert	Larsen (WA)
Castle	Gonzalez	Larson (CT)
Castor (FL)	Goodlatte	Latham
Chaffetz	Gordon (TN)	LaTourette
Chandler	Graves	Latta
Childers	Grayson	Lee (CA)
Chu	Green, Al	Lee (NY)
Clarke	Green, Gene	Levin
Clay	Guthrie	Lewis (CA)
Cleaver	Gutierrez	Lewis (GA)
Clyburn	Hall (NY)	Linder
Coble	Hall (TX)	Lipinski
Coffman (CO)	Halvorson	LoBiondo